

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAE DONG JUN, et al.,

Plaintiffs,

v.

EMC MORTGAGE COMPANY, et al.,

Defendants

No. C 07-6281 MMC

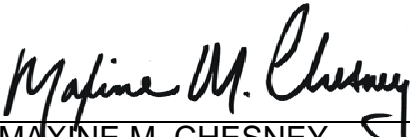
**ORDER GRANTING DEFENDANT EMC  
MORTGAGE COMPANY'S MOTION FOR  
SUMMARY JUDGMENT**

Before the Court is defendant EMC Mortgage Company's Motion for Summary Judgment, filed July 25, 2008. Because no opposition to the motion was timely filed, the Court vacated the scheduled hearing and deemed the matter submitted on the moving papers. (See Order, filed August 18, 2008.)

For the reasons stated in defendant's Memorandum of Points and Authorities, the Court hereby GRANTS defendant's Motion for Summary Judgment. Specifically, defendant has shown that no genuine issue of material fact exists and that, as a matter of law, defendant did not breach any agreement with plaintiffs by foreclosing on plaintiffs' former residence.

**IT IS SO ORDERED.**

Dated: September 4, 2008

  
MAXINE M. CHESNEY  
United States District Judge